

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD
4 - - - - -X
5 IN THE MATTER OF: :
6 LSEMY, LLC, t/a Mike's :
7 Market/Trinidad Market, :
8 1322 Florida Ave Northeast : Case #16-PRO-00004
9 License #100653 : Protest Hearing
10 Retailer A : (Status)
11 ANC 5D :
12 Application for a new :
13 License :
14 - - - - -X

15 Wednesday, February 10,
16 2016

17
18 Whereupon, the above-referenced matter
19 came on for hearing at the Alcoholic Beverage
20 Control Board, Reeves Center, 2000 14th Street,
21 N.W., Suite 400S, Washington, D.C. 20009.

22

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 NICK ALBERTI

6 RUTHANNE MILLER

7 JAMES SHORT

8 MIKE SILVERSTEIN

9

10 Office of the Attorney General:

11 MARTHA JENKINS

12 ABRA:

13 DANETTE WALKER

14 LaVERNE FLETCHER

15

16 ALSO PRESENT:

17 KIFLOM MELES, ESQ.,

18 on behalf of the applicant

19

20

21

22

1 P R O C E E D I N G S

2 CHAIRPERSON ANDERSON: Good morning,
3 everyone. I'd like to welcome you to the
4 regularly scheduled meeting of the District of
5 Columbia Alcoholic Beverage [Speaking off
6 microphone.] Please note that today's hearing
7 will be conducted in accordance with D.C.
8 Official Code Section 2574 [Speaking off
9 microphone.]

10 Today is February 10th, 2016. I would
11 like introduce members of the Board with us
12 today. To my far right is Ms. Ruthanne Miller.
13 To my immediate right is Mr. Nick Alberti. To my
14 far left is Mr. Mike Silverstein. And to my
15 immediate left is Mr. James Short.

16 My name is Donovan Anderson; I am the
17 Chairman of the Board. The Board has five
18 members in attendance for the conduct of business
19 today and that constitutes a quorum.

20 I would like to mention two things before
21 we get started and I think the Board Members are
22 aware. First of all, if you have any electronic

1 devices, and let me make sure that mine is also
2 turned off too. If you have any electronic
3 devices, pagers, cell phones or such, please make
4 certain that they are turned off to avoid any
5 interruption of the proceedings. Secondly there
6 is a paper, a piece of paper on each table. When
7 you come forward as your case is called, please
8 take a seat at the table and please sign in.
9 This is to ensure that the correct spelling of
10 your name for the record.

11 Additionally, when you introduce yourself
12 for the record, please spell your name aloud for
13 the court reporter. I'd like to note that the
14 time is 9:34, and first order of business.

15 Our first order of business today -- our
16 first order of business today is Case No. -- it's
17 a protest hearing status, Case No. 16-PRO-00004,
18 Trinidad Market, License No. 100653. Are the
19 parties here? All right. I will recall this
20 case.

21 [Case passed to be recalled later.]

22 CHAIRPERSON ANDERSON: Okay. We are back

1 on the record. I am going to recall Case Number,
2 on our Protest Hearing Status, Case Number 16-
3 PRO-00004, Trinidad Market, License No. 100653.
4 Will the parties please approach?

5 MR. MELES: Good morning. Kiflom Meles
6 on behalf of the applicant.

7 CHAIRPERSON ANDERSON: I don't see the
8 ANC here.

9 MR. MELES: I don't either.

10 CHAIRPERSON ANDERSON: I'm sorry? And
11 who are you, sir?

12 MR. MELES: I'm Kiflom Meles. I'm the
13 only attorney for the applicant.

14 CHAIRPERSON ANDERSON: You are the
15 attorney representing the applicant?

16 MR. MELES: Right.

17 CHAIRPERSON ANDERSON: All right. This
18 case was scheduled for 10:00. The case was
19 called at 10:00. I'm sorry, the case was first
20 called at 9:30. Neither the protestant or the
21 applicant were here at 9:30 when the case was
22 called.

1 What I did was that the Board went into
2 recess for 15 minutes. It is now 10:00, the case
3 was recalled. The attorney is present for the
4 applicant. The protestant is not here at 10:04.
5 So therefore, pursuant to 1601.6 I make a motion
6 that we dismiss the protestant for failure to
7 appear.

8 Is there a second?

9 MR. ALBERTI: Second.

10 CHAIRPERSON ANDERSON: Mr. Alberti has
11 seconded the motion.

12 [Vote taken.]

13 CHAIRPERSON ANDERSON: The matter passes
14 five, zero, zero.

15 What will occur, it's my understanding
16 that the Board will issue an order giving the
17 protestant 10 days to provide good cause why they
18 failed to appear. If the Board determines that
19 good cause has not been shown then it's my
20 understanding that the applicant will get its
21 license without any restrictions. Okay? All
22 right.

1 MR. ALBERTI: I'd like to add just one
2 thing.

3 CHAIRPERSON ANDERSON: Yes, Mr. Alberti.

4 MR. ALBERTI: You may know this, Mr.
5 Meles, but if they do request reinstatement --

6 MR. MELES: Right.

7 MR. ALBERTI: -- you will have a chance
8 to oppose that motion if you so choose.

9 CHAIRPERSON ANDERSON: Okay?

10 MR. MELES: Thank you.

11 CHAIRPERSON ANDERSON: All right. Thank
12 you.

13 And one thing I will say to you, sir, one
14 thing that I'm trying to do is, if our schedule
15 says 9:30, I expect all parties to be here at
16 9:30, because I plan to be here at 9:30, so I
17 expect everyone to be here at 9:30.

18 MR. MELES: I apologize.

19 CHAIRPERSON ANDERSON: All right.

20 MR. MELES: Thank you.

21 CHAIRPERSON ANDERSON: Thank you.

22 [Whereupon, the above-entitled matter

1 concluded.]